

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 16, 1944  
10:30 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

## Roll call

Present : Councilmen Alford, Bartholomew, Gillis, Mayor Miller - 4  
Absent : Councilman Wolf - 1

Present also: Walter E. Seaholm, Acting City Manager; J.E. Motheral, City Engineer; J. M. Patterson, Jr., Acting City Attorney; and R.D. Thorp, Chief of Police.

Upon motion of Councilman Alford, the reading of the minutes was dispensed with.

Pursuant to public notice, the public hearing on the proposal of St. Mary's Catholic Church to extend Mount Calvary Cemetery was opened.

The following persons then appeared and were heard in support of the proposed extension: FATHER McALISTER, representing St. Mary's Catholic Church, owner; and JOHN CARPENTER, representing the owners of the property to be sold for such extension.

The following persons then appeared and were heard in opposition to the proposed extension: HENRY UMPSHIRE, LEWIS HOWARD, LOUIS LUEDECKE, MR. and MRS. H. M. RATLIFF, MR. PARKER, MRS. EDGAR MATHEWS, and MRS. ANDERSON, as spokesmen for a large delegation of surrounding property owners present, declaring that such extension would greatly deteriorate the value of their property.

After hearing both proponents and opponents in the matter, a suggestion was offered by Mayor Miller that, in lieu of the present proposed extension, a portion of Memorial Park Cemetery might be purchased for such purpose.

The Mayor then called for a vote on the question of the present proposal of St. Mary's Catholic Church to extend Mount Calvary Cemetery, those in favor of the proposal voting aye; those opposed, no. The result was:

Ayes : None

Noes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Absent: Councilman Wolf

It was then the sense of the meeting that if a compromise could be effected between the representatives of the Cemetery and the surrounding property owners satisfactory to said property owners, the City Council would reconsider the matter.

The application of FRANK W. WALENTA, JR., 300 Congress Avenue, for a license to operate as a taxicab a 1942 Model Chevrolet Sedan, Engine No. BA171533, State License (1942) No. N23-083, (1943) No. FF2-084, duly approved by the Acting City Manager, was submitted. Councilman Alford moved that the license be granted, subject to regulations of Office of Defense Transportation. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.

Noes : None

Absent: Councilman Wolf

The application of A. R. THORNTON, 300 Congress Avenue, for a license to operate as a taxicab a 1942 Model, 4-door Chevrolet Sedan, Engine No. BA215070, State License (1942) No. N23-084, (1943) No. FF2-085, duly approved by the Acting City Manager, to replace Taxicab Permit No. 1 cancelled by Frank Sconci. Councilman Bartholome moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.

Noes : None

Absent: Councilman Wolf.

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN;

SECTION 1. THAT the City Manager, or in his absence the Acting City Manager, be, and he is hereby authorized and directed to enter into a contract in behalf of the City of Austin with the United States of America for the leasing by the City of Austin to the United States of America of the following premises: 18.62 acres of land out of Outlots 68 and 58, Division "O" of the Government Outlots adjoining the City of Austin, said property being more fully described in the lease which is attached hereto, said premises to be used as a warehouse by the United States of America in accordance with the terms and provisions of said lease, a copy of which is attached hereto.

SECTION 2. THAT the City Clerk be, and she is hereby, authorized and directed to place a copy of the lease agreement which is attached hereto in the permanent files of her office without the necessity of recording the contents of the said lease agreement in the minutes of the City Council.

Which motion, carrying with it the adoption of the resolution prevailed by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.

Noes : None

Absent: Councilman Wolf

The application of CLYDE BRADSHAW, 75½ Rainey Street, for a taxicab driver's permit, duly approved by the Acting City Manager, was submitted. Councilman Alford moved that the permit be granted. The motion carried

by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.

Noes : None

Absent: Councilman Wolf

The application of CECIL RAMOND BUNCH, 806 East 1st Street, for a taxicab driver's permit, duly approved by the Acting City Manager, was submitted. Councilmen Alford moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.

Noes : None

Absent: Councilman Wolf

The application of JACK ROBERT NEWTON, colored, 1500 East 11th Street, for a taxicab driver's permit, duly approved by the Acting City Manager, was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.

Noes : None

Absent: Councilman Wolf

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin in acquiring the right-of-way for Lamar Boulevard acquired the title to certain lots, tracts, or parcels of land not necessary for the right-of-way for said Lamar Boulevard which can be sold by the City of Austin to the advantage of the said City of Austin; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Walter E. Seaholm, the Acting City Manager, be, and he is hereby, authorized and directed to sell for cash, or on such terms and conditions as he may deem desirable and beneficial to the City of Austin, all property acquired by the City of Austin in obtaining the right-of-way for Lamar Boulevard which is not needed for said Lamar Boulevard right-of-way and to execute all deeds, releases, and other instruments necessary to consummate each and every transaction pertaining thereto.

Without limiting the authority herein conferred, but to more fully describe the property which the City of Austin acquired in the acquisition of the right-of-way for Lamar Boulevard, the following deed reference to deeds conveying said property to the City of Austin is hereby made for all intents and purposes and for a more complete description of said property:

Deed of J. V. Siegmund, et ux, to City of Austin, dated April 9, 1940, recorded in Volume 644, page 558, Deed Records of Travis County, Texas;

Deed of Carl H. Mueller, et ux, to City of Austin, dated April 12, 1940, recorded in Volume 645, page 559, of the Deed Records of Travis County, Texas;

Deed of Charles J. Schneider to City of Austin, dated June 28, 1940, recorded in Volume 653, page 87, Deed Records of Travis County, Texas;

Deed of Charles E. Granger, et al., to City of Austin, dated March 19, 1940, recorded in Volume 644, pages 397-398, and Volume 645, page 351, Deed Records of Travis County, Texas;

Deed of L. W. Simpson, et ux, to City of Austin, dated April 2, 1940, recorded in Volume 644, page 430, Deed Records of Travis County, Texas;

Deed of Herbert H. Finch, et al., to City of Austin, dated March 22, 1940, recorded in Volume 645, page 349, Deed Records of Travis County, Texas;

Deed of Fred A. Barge, et ux, to City of Austin, dated March 22, 1940, recorded in Volume 644, page 337, Deed Records of Travis County, Texas;

Deed of Mrs. Sophia Domschke, et al., to City of Austin, dated May 17, 1940, recorded in Volume 649, page 387, Deed Records of Travis County, Texas;

Deed of Max Silberstein, et ux, to City of Austin, dated May 1, 1940, recorded in Volume 649, page 205, Deed Records of Travis County, Texas;

Deed of Mrs. Florrie Neill, et al., to City of Austin, dated \_\_\_\_\_, 19\_\_\_\_, recorded in Volume 651, page 298 and page 304, Deed Records of Travis County, Texas;

Deed of Mrs. Louise Hamby Robinson to City of Austin, dated \_\_\_\_\_, 19\_\_\_\_, recorded in Volume 645, page 313, Deed Records of Travis County, Texas.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.

Noes : None

Absent: Councilman Wolf

Acting City Manager Seaholm submitted an offer in writing from C. R. FLOURNOY to buy the northeast triangle of Lot 43; all of Lot 44 less the southwest triangle of same; the northeast triangle of Lot 42; and all of Lot 41 less the southwest triangle, located in Harmon Terrace, for a consideration of Eight Hundred Dollars (\$800.00).

Councilman Alford moved that the Acting City Manager be authorized to accept the offer. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.

Noes : None

Absent: Councilman Wolf.

Mayor Miller submitted the written resignation of B. J. RUPERT as a member of the City Plan Commission, which resignation was received.

Mayor Miller then nominated L. A. SMITH as a member of the City Plan Commission, to fill the vacancy caused by the resignation of the said B. J. Rupert. The nomination was confirmed by the following vote:  
 Ayes; Councilmen Alford, Bartholomew, Gillis, Mayor Miller.  
 Noes: None  
 Absent: Councilman Wolf.

Councilman Bartholomew introduced the following ordinance:

AN ORDINANCE AUTHORIZING GUY A. THOMPSON, TRUSTEE, INTERNATIONAL-GREAT NORTHERN RAILROAD COMPANY, DEBTOR, TO CONSTRUCT, MAINTAIN AND OPERATE CERTAIN RAILWAY INDUSTRIAL TRACK UPON AND ACROSS BOWIE STREET AND ON AND ALONG THE NORTHERLY EDGE OF CYPRESS STREET IN FRONT OF LOTS 9 TO 13, BOTH INCLUSIVE, OF BLOCK 4 OF THE RAYMOND PLATEAU SUBDIVISION IN THE CITY OF AUSTIN, SUBJECT TO CERTAIN CONDITIONS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Bartholomew moved that the rules be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.  
 Noes : None  
 Absent: Councilman Wolf

The ordinance was then read the second time and Councilman Bartholomew moved that the rules be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.  
 Noes : None  
 Absent: Councilman Wolf

The ordinance was then read the third time and Councilman Bartholomew moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.  
 Noes : None  
 Absent: Councilman Wolf

The Mayor then declared that the ordinance had been finally passed.

The application of the CONGRESS AVENUE PACKAGE STORE, 112 Congress Avenue, by R. H. Fenton, owner, for a retail package store permit, duly approved by the Acting City Manager, was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.  
 Noes : None  
 Absent: Councilman Wolf

There being no further business, upon motion, seconded and carried, the meeting was recessed at 12:15 P. M., subject to call of the Mayor.

ATTEST:

*Shellic M. Keller* City Clerk

APPROVED

*Tom Miller*  
 MAYOR